

STATE OF NORTH CAROLINA

File No.

07CRS51269

Alamance County

In The General Court Of Justice

☐ District ☒ Superior Court Division

STATE VERSUS

Defendant

Clinton Blackburn

DISMISSAL

NOTICE OF REINSTATEMENT

G.S. 15A-302(e), -931, -932, -1009

File Number	Count No.(s)	Offense(s)
07 CRS51269	1	Assault Inflicting Serious Bodily Injury

COPY

DISMISSAL

NOTE: Recall all outstanding Orders For Arrest in a dismissed case.

☒ The undersigned prosecutor enters a dismissal to the above charge(s) and assigns the following reasons:

- ☐ 1. No crime is charged.
- ☐ 2. There is insufficient evidence to warrant prosecution for the following reasons:

☐ 3. Defendant has agreed to plead guilty to the following charges:

in exchange for a dismissal of the following charges:

☒ 4. Other: (specify)

SEE ATTACHMENT

A jury has not been impaneled nor has evidence been introduced. (If a jury has been impaneled, or if evidence has been introduced, modify this sentence accordingly.)

☐ DISMISSAL WITH LEAVE

The undersigned prosecutor enters a dismissal with leave to the above charge(s) and assigns the following reasons:

- ☐ 1. The defendant failed to appear for a criminal proceeding at which the defendant's attendance was required and the prosecutor believes that the defendant cannot readily be found.
- ☐ 2. The defendant has been indicted and cannot readily be found to be served with an Order For Arrest.
- ☐ 3. The defendant has entered into a deferred prosecution agreement with the prosecutor in accordance with the provisions of Article 82 of G.S. Chapter 15A.
- ☐ 4. The defendant has been found by a court to be incapable of proceeding pursuant to Article 56 of G.S. Chapter 15A.
- ☐ 5. Other: (specify)

NOTE: This form must be completed and signed by the prosecutor when the dismissal occurs out of court. The better practice is for the prosecutor to complete and sign the form when the charges are orally dismissed in open court.

Also, in accordance with G.S. 15A-931(a1), unless the defendant or the defendant's attorney has been otherwise notified by the prosecutor, a written dismissal of the charges against the defendant must be served in the same manner prescribed for motions under G.S. 15A-951. If the record reflects that the defendant is in custody, the written dismissal shall also be served by the prosecutor on the chief officer of the custodial facility where the defendant is in custody.

Date: 4-29-10 Name Of Prosecutor (Type Or Print): Eugene T. Morris, Jr. Signature Of Prosecutor: Eugene T. Morris

☐ REINSTATEMENT

This case, having previously been dismissed with leave as indicated above, is now reinstated for trial.

Date: Name Of Prosecutor (Type Or Print): Signature Of Prosecutor:



DISMISSAL

STATE OF NORTH CAROLINA

ALAMANCE COUNTY

STATE VERSUS

Defendant(s)

CLINTON JOSEPH BLACKBURN

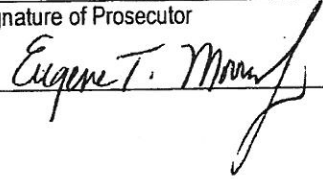
FILE NUMBER: 07CRS051269

JOHN CASSADY

FILE NUMBER: 07CRS051270

Other: The victim in these matters, Lee Mynhardt, has informed the District Attorney's office that he requests that the State of North Carolina take a voluntary dismissal on these cases for the following reasons: It is his honest belief that the two defendants, John Cassady and Clinton Blackburn, did not commit an intentional act that lead to his paralysis; that he has forgiven them for any of the consequences of their actions resulting in his injury; and that he is not interested in any prosecution at all because he is concerned that the ultimate result would be criminal records for the (2) defendants.

Based on the victim's desires made fully known to the District Attorney's office and honoring his request, the State hereby takes a voluntary dismissal in these two cases.

Date 4-29-10	Name of Prosecutor (type or Print Eugene T. Morris, Jr.	Signature of Prosecutor 
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STATE OF NORTH CAROLINA

File No.

07CRS51270

Alamance County

In The General Court Of Justice

☐ District ☒ Superior Court Division

STATE VERSUS

Defendant

John Cassady

DISMISSAL NOTICE OF REINSTATEMENT

G.S. 15A-302(e), -931, -932, -1009

File Number.	Count No.(s)	Offense(s)
07 CRS51270	1	Assault Inflicting Serious Bodily Injury

COPY

DISMISSAL

NOTE: Recall all outstanding Orders For Arrest in a dismissed case.

☒ The undersigned prosecutor enters a dismissal to the above charge(s) and assigns the following reasons:

- ☐ 1. No crime is charged.
- ☐ 2. There is insufficient evidence to warrant prosecution for the following reasons:

- ☐ 3. Defendant has agreed to plead guilty to the following charges:

in exchange for a dismissal of the following charges:

- ☒ 4. Other: (specify)

SEE ATTACHMENT

A jury has not been impaneled nor has evidence been introduced. (If a jury has been impaneled, or if evidence has been introduced, modify this sentence accordingly.)

☐ DISMISSAL WITH LEAVE

The undersigned prosecutor enters a dismissal with leave to the above charge(s) and assigns the following reasons:

- ☐ 1. The defendant failed to appear for a criminal proceeding at which the defendant's attendance was required and the prosecutor believes that the defendant cannot readily be found.
- ☐ 2. The defendant has been indicted and cannot readily be found to be served with an Order For Arrest.
- ☐ 3. The defendant has entered into a deferred prosecution agreement with the prosecutor in accordance with the provisions of Article 82 of G.S. Chapter 15A.
- ☐ 4. The defendant has been found by a court to be incapable of proceeding pursuant to Article 56 of G.S. Chapter 15A.
- ☐ 5. Other: (specify)

NOTE: This form must be completed and signed by the prosecutor when the dismissal occurs out of court. The better practice is for the prosecutor to complete and sign the form when the charges are orally dismissed in open court.

Also, in accordance with G.S. 15A-931(a1), unless the defendant or the defendant's attorney has been otherwise notified by the prosecutor, a written dismissal of the charges against the defendant must be served in the same manner prescribed for motions under G.S. 15A-951. If the record reflects that the defendant is in custody, the written dismissal shall also be served by the prosecutor on the chief officer of the custodial facility where the defendant is in custody.

Date 4-29-10	Name Of Prosecutor (Type Or Print) Eugene T. Morris, Jr.	Signature Of Prosecutor <i>Eugene T. Morris, Jr.</i>
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☐ REINSTATEMENT

This case, having previously been dismissed with leave as indicated above, is now reinstated for trial.

Date	Name Of Prosecutor (Type Or Print)	Signature Of Prosecutor
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DISMISSAL

STATE OF NORTH CAROLINA

ALAMANCE COUNTY

STATE VERSUS

Defendant(s)

CLINTON JOSEPH BLACKBURN

FILE NUMBER: 07CRS051269

JOHN CASSADY

FILE NUMBER: 07CRS051270

Other: The victim in these matters, Lee Mynhardt, has informed the District Attorney's office that he requests that the State of North Carolina take a voluntary dismissal on these cases for the following reasons: While it is his position that these defendants share the responsibility for his injury with others, he believes that they should not be prosecuted and held solely responsible for his injuries. He is concerned that the ultimate result would be criminal records for the (2) defendants that will affect them for the rest of their lives.

Based on the victim's desires made fully known to the District Attorney's office and honoring his request, the State hereby takes a voluntary dismissal in these two cases.

Date	Name of Prosecutor (type or Print)	Signature of Prosecutor
4-29-10	Eugene T. Morris, Jr.	Eugene T. Morris